

## EDUCATION DEPARTMENT[281]

### Notice of Intended Action

#### **Proposing rule making related to extracurricular interscholastic competition and providing an opportunity for public comment**

The State Board of Education hereby proposes to amend Chapter 36, “Extracurricular Interscholastic Competition,” Iowa Administrative Code.

#### *Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code section 256.7.

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 280.13A.

#### *Purpose and Summary*

Chapter 36 outlines the requirements for extracurricular interscholastic competitions. Proposed Item 1 incorporates changes to the subrule regarding scholarship rules by providing that a student may not be required to sit out in more than one school-sponsored extracurricular activity because of a failing grade. Proposed Item 2 provides the athletic associations with the discretion to set a dead period during the summer for a period up to 14 days in length in which no contact with students would be allowed.

#### *Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

#### *Waivers*

An agencywide waiver provision is provided in 281—Chapter 4.

#### *Public Comment*

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on January 7, 2020. Comments should be directed to:

Nicole Proesch  
Department of Education  
Grimes State Office Building, Second Floor  
Des Moines, Iowa 50319-0416  
Phone: 515.281.8661  
Email: [nicole.proesch@iowa.gov](mailto:nicole.proesch@iowa.gov)

#### *Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

January 7, 2020  
9 to 10 a.m.

State Board Room, Second Floor  
Grimes State Office Building  
East 14th Street and Grand Avenue  
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs by calling 515.281.5295.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend subrule 36.15(2) as follows:

**36.15(2) Scholarship rules.**

*a.* All contestants must be enrolled and in good standing in a school that is a member or associate member in good standing of the organization sponsoring the event.

*b.* All contestants must be under 20 years of age.

*c.* All contestants shall be enrolled students of the school in good standing. They shall receive credit in at least four subjects, each of one period or "hour" or the equivalent thereof, at all times. To qualify under this rule, a "subject" must meet the requirements of 281—Chapter 12. Coursework taken from a postsecondary institution and for which a school district or accredited nonpublic school grants academic credit toward high school graduation shall be used in determining eligibility. No student shall be denied eligibility if the student's school program deviates from the traditional two-semester school year.

(1) Each contestant shall be passing all coursework for which credit is given and shall be making adequate progress toward graduation requirements at the end of each grading period. Grading period, graduation requirements, and any interim periods of ineligibility are determined by local policy. For purposes of this subrule, "grading period" shall mean the period of time at the end of which a student in grades 9 through 12 receives a final grade and course credit is awarded for passing grades.

(2) If at the end of any grading period a contestant is given a failing grade in any course for which credit is awarded, the contestant is ineligible to dress for and compete in the next occurring interscholastic athletic contests and competitions in which the contestant is a contestant for 30 consecutive calendar days unless the student has already served a period of ineligibility for 30 consecutive calendar days in another school-sponsored activity. A student shall not serve multiple periods of ineligibility because of a failing grade.

*d. to k.* No change.

ITEM 2. Amend subrule 36.15(6) as follows:

**36.15(6) Summer camps and clinics and coaching contacts out of season.**

*a.* School personnel, whether employed or volunteers, of a member or associate member school shall not coach that school's student athletes during the school year in a sport for which the school personnel are currently under contract or are volunteers, outside the period from the official first day of practice through the finals of tournament play. Provided, however, school personnel may coach a senior student from the coach's school in an all-star contest once the senior student's interscholastic athletic season for that sport has concluded. In addition, volunteer or compensated coaching personnel shall not

require students to participate in any activities outside the season of that coach's sport as a condition of participation in the coach's sport during its season.

*b.* A summer team or individual camp or clinic held at a member or associate member school facility shall not conflict with sports in season. Coaching activities between June 1 and the first day of fall sports practices shall not conflict with sports in season. The associations in their discretion may establish a dead period up to 14 calendar days in length. During a dead period coaches will not be allowed to have contact with students.

*c.* Rescinded IAB 4/20/11, effective 5/25/11.

*d.* Penalty. A school whose volunteer or compensated coaching personnel violate this rule is ineligible to participate in a governing organization-sponsored event in that sport for one year with the violator(s) coaching.